



2017 Group Benefits Employer Markets Legislative Notice

Employee Version

Note: The purpose of this Notice is to provide an overview of new laws primarily passed in 2017 that may impact your insurance policy. These laws may apply to the extent that your policy has the applicable provisions in the contract.

DISCLAIMER: The Hartford provides this Notice for informational purposes only. This Notice includes information that may impact policies issued by The Hartford, but does not constitute legal advice. You should continue to consult your employer's legal and HR resources for guidance on the application of the law(s) cited in this Notice.

Claims

State: New Hampshire Senate Bill 1409

Effective Date: 1/1/2017

Summary: New Hampshire requires a statute of limitations provision for bringing an action within which to recover under a policy or certificate. The timeframe in the provision was increased. An insured now has three years from the expiration of the time within which proof of loss is required to bring an action.

State: District of Columbia Bill 38, Act 77

Effective Date: 2/3/2017

Summary: The District of Columbia passed the "Death with Dignity Act of 2016" that prohibits policy provisions from restricting or altering insurance benefits based on a person's request for, or the ingesting of, a covered medication under the Act. The law also prohibits placing restrictions on the sale or issuance of policies, the charging of different rates, and the payment of benefits based on a request for, or the ingesting of, a covered medication under this Act.

Discretionary Clauses:

State: Alaska House Bill 372



Effective Date: 8/20/2016

Summary: Insurers may not include a discretionary clause in an insurance policy, contract, or agreement that would reserve discretion to the insurer to interpret the terms of the contract, or to provide standards of interpretation or review that are inconsistent with the Alaska law. Discretionary clause means a policy provision that attempts to bind the claimant, or to grant deference to the insurer, in proceedings following a decision by the carrier involving denials, interpretation of terms, coverage, or eligibility for benefits. It may be referred to as a policy interpretation provision.

Disclosures/Notices:

State: Alaska House Bill 372

Effective Date: 10/16/2016

Summary: Alaska requires insurers to provide the policyholder a notice at least forty-five (45) days prior to cancellation, a change in premium, or a change in coverage on all health insurance policies.

State: Rhode Island Senate Bill 2011

Effective Date: 1/2/17

Summary: Rhode Island requires insurance policies to provide clear language on the method of calculation of the unearned premium portion, if any, to be returned to the insured if the policy is cancelled.

Nondiscrimination:

State: Rhode Island House Bill 5951

Effective Date: 7/18/2017

Summary: Insurers cannot discriminate against domestic partner applicants who provide the proper affidavit certifying that they meet the requirements for a valid domestic partnership as required by law.

Policy Provisions:

State: Colorado Bulletin B-4.5

Effective Date: 9/20/2016



Summary: The Colorado Insurance Department issued this Bulletin to clarify that Accident and Health policies may not deny coverage for suicide, attempted suicide, or other acts of self-destruction, committed while insane.

State: Colorado Regulation 4-2-34

Effective Date: 6/1/2017

Summary: Insurers are required to make changes to the format of certain policies to match the format revisions made by the Colorado Department of Insurance.

State: Michigan House Bill 4935

Effective Date: 7/1/2016

Summary: Michigan changed some of the language for optional policy provisions related to Illegal Occupations or Criminal Activity and also related to Changes of Occupation to those that are more or less hazardous than the occupations covered by the policy.